

ARTICLE 42

AMEND ZONING BY-LAW TWO-FAMILY DWELLINGS

To see if the Town will vote to amend the Zoning By-Law to permit two-family dwellings wherever one-family dwellings are permitted, or act in any other manner in relation thereto.

(Inserted at the request of the Planning Board)

DESCRIPTION: This article would permit construction of two-family dwellings by right in all districts where one-family dwellings are permitted.

PROPOSED MOTION

A. Amend Table 1, line A.1.02:

| | RO | RS | RT | CN | CRS | CS | CB | CLO | CRO | CM |
|---|-------|-------|----|----|-----|----|----|-----|-----|----|
| A. RESIDENTIAL USES | | | | | | | | | | |
| A.1.0 PRINCIPAL RESIDENTIAL USES | | | | | | | | | | |
| A.1.01 One-family dwelling | Y | Y | Y | Y | N | N | N | N | N | N |
| A.1.02 Two-family dwelling (*) for RO or RS, see §§§ 135-3.1.7 & 4.46.10 | N SP* | N SP* | Y | Y | N | N | N | N | N | N |

B. Insert a new § 3.1.7 section into the Bylaw, ~~6.10, Two-Family Dwellings in RO and RS Districts~~ as follows:

3.1.7 Two-Family Dwellings in RO and RS Districts.

6.10.1. Purpose. This section authorizing the provision of two-family dwellings in the RO and RS Districts is intended to:

- Increase the number of small dwelling units available in the Town;
- Increase the range of choice of housing accommodations;
- Encourage greater diversity of population with particular attention to young adults and senior citizens; and
- Encourage a more economic and energy-efficient use of the Town's housing supply while maintaining the appearance and character of the Town's one-family neighborhoods.

6.10.2 Maximum Allowable Gross Floor Area. The total gross floor area of all buildings on a lot containing a two-family dwelling in the RS and RO District may not exceed the amount listed in the table below based on the area of the lot.

| <u>Lot Area</u> <u>(in square feet)</u> | <u>Maximum Gross Floor Area</u> |
|--|-------------------------------------|
| <u>0—5,000</u> | <u>0.8 * Area</u> |
| <u>5,000—7,500</u> | <u>4,000 + 0.55 * (Area—5,000)</u> |
| <u>7,500—10,000</u> | <u>5,375 + 0.23 * (Area—7,500)</u> |
| <u>10,000—15,000</u> | <u>5,950 + 0.2 * (Area—10,000)</u> |
| <u>15,000—30,000</u> | <u>6,950 + 0.16 * (Area—15,000)</u> |
| <u>More than 30,000</u> | <u>9,350 + 0.16 * (Area—30,000)</u> |

~~6.10.2.3~~ ——— Special Permit. — Pursuant to § 9.4, the SPGA may grant a special permit for a two-family dwelling in the RO and RS Districts provided that the SPGA finds that the ~~a~~ two-family dwelling can be built without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw ~~including Town policy documents that define housing goals. In addition to the criteria in § 9.4.2, the SPGA must find and further determines that:~~

- a. The project design furthers the purposes expressed in § ~~6.10.3.1.7.1~~; and
- b. The proposed structure is compatible with the scale of the neighborhood and its impacts would be comparable to a ~~single~~one-family dwelling on that site.;

In addition to the criteria in § 9.4.2, the SPGA shall include consideration of:

- a. Town policy documents that define housing goals;
- ~~a.b.c. The project does not adversely impact the~~ Solar access of adjoining lots; and
- ~~b.c.d.~~ Noise generated by fixed plant equipment such as, but not limited to, air conditioners, pumps, fans, and furnaces ~~does not impact adjoining lots.~~

C. Insert a new § 4.4 into the Bylaw, as follows:

4.4 RESIDENTIAL GROSS FLOOR AREA.

4.4.1 Purpose. Lexington seeks to have a socially and economically diverse community, both over the whole of the community and within its neighborhoods. In support of that fundamental social goal, a basic housing goal is to provide housing opportunities supportive of the population diversity we seek. The Town encourages small- and medium-sized housing stock, in the interest of providing diverse housing sizes throughout the Town. This § 4.4 limits the size of dwellings in proportion to their lot size to the degree that sets a balance among the purpose of this Section with other stakeholder interests. This Section seeks to regulate the massing of dwellings, which have impacts on owners of abutting properties and on the streetscape, landscape, and the character of the neighborhood and Town.

4.4.2 Maximum Allowable Residential Gross Floor Area Table. The total gross floor area of all buildings on a lot containing a two-family dwelling may not exceed the amount listed in the table below based on the area of the lot.

| <u>Lot Area (in square feet)</u> | <u>Maximum Gross Floor Area</u> |
|---|--|
| <u>0 – 5,000</u> | <u>0.8 * Area</u> |
| <u>5,000 – 7,500</u> | <u>4,000 + 0.55 * (Area – 5,000)</u> |
| <u>7,500 – 10,000</u> | <u>5,375 + 0.23 * (Area – 7,500)</u> |
| <u>10,000 – 15,000</u> | <u>5,950 + 0.2 * (Area – 10,000)</u> |

| <u>Lot Area (in square feet)</u> | <u>Maximum Gross Floor Area</u> |
|--------------------------------------|---|
| <u>15,000 – 30,000</u> | <u>$6,950 + 0.16 * (\text{Area} - 15,000)$</u> |
| <u>More than 30,000</u> | <u>$9,350 + 0.16 * (\text{Area} - 30,000)$</u> |

4.4.3 Special Permit. Pursuant to § 9.4, the SPGA may grant a special permit for a dwelling to exceed the maximum gross floor area otherwise allowed by § 4.4 provided that the SPGA additionally finds that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw and further determines that:

- a. The project design furthers the purposes expressed in § 4.4.1; and
- b. The proposed dwelling is compatible with the scale of the neighborhood.

In addition to the criteria in § 9.4.2, the SPGA shall include consideration of:

- a. Town policy documents that define housing goals;
- b. Solar access of adjoining lots; and
- c. Noise generated by fixed plant equipment such as, but not limited to, air conditioners, pumps, fans, and furnaces.

C.D. To insure internal consistency Amend § 135-6.9, Special Permit Residential Developments, specifically 6.9.15, Types of Dwellings, as detailed below:

| Type of Dwelling | SSD | BHD | PBD |
|--|--------------------------|------------|------------|
| One-family detached | Yes | Yes | Yes |
| Two-family (* Yes in RT District) | No <u>Yes</u> | Yes | Yes |
| Townhouse | No | Yes | Yes |